IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 30277-M of 2005

DATE OF DECISION : 08.03.2007

Shri P.P. Chhabra and others

.... PETITIONERS

Versus

Haryana State Industrial Development Corporation Ltd. and another

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sumeet Mahajan, Senior Advocate, with
Mr. Sham Lal Bhalla, Advocate,
for the petitioners.

Mr. K.D.S. Hooda, Advocate,
for respondent No.1.

Petitioners – Shri P.P. Chhabra, Rajan Chhabra and Smt. Ina Chhabra, have filed this petition under Section 482 of the Code of Criminal Procedure for quashing of complaint No. 193 dated 4.6.2004, titled Haryana State Industrial Development Corporation versus M/s Ina Polymers Ltd. (formerly named as M/s Ina Polyblanks Ltd.), pending in the court of Chief Judicial Magistrate, Panchkula and the summoning order dated 4.6.2004, whereby the petitioners have been summoned to face trial under Section 138 of the Negotiable Instruments Act.

The quashing of the aforesaid complaint and the summoning order is being sought on the ground that when cheques in dispute were issued and same were presented before the bank, the petitioners were neither Directors of the Company nor they were signatures of the cheques. Counsel for respondent No.1, on instructions from Shri Harinder Pal Singh, Manager, who is present in Court, admits the factual position that when the

disputed cheques were issued and presented before the bank, the petitioners were neither the Directors of the company nor they have signed the said cheques. In view of this admitted fact and keeping in view the legal position in this regard, counsel states that the complainant will withdraw the complaint in question qua the aforesaid three petitioners in the trial court. In view of this statement made by counsel for respondent No.1, counsel for the petitioners states that he does not want to press this petition.

Dismissed as not pressed.

March 08, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**